

Remarks

In response to the Office Action mailed November 14, 2003, Applicant respectfully requests reconsideration of the pending claims. To further prosecution of this application, Applicant submits the following amendments to claim 1, 14 and 22 and remarks.

Allowability of the Claims Over the Prior Art

Independent claim 1 as amended is directed to a method of using a wireless scheduling device in communication with a wireless network facility to determine schedule availability for a set of attendees. (See the Preamble of claim 1.) The claim also requires communicating an availability request over a wireless network facility to a server using the cellular wireless scheduling device where the server has access to calendar data for each attendee in the set of attendees. In response to the availability request, a search of the calendar data of each attendee of the set is conducted to produce an availability data set. The availability data set is transmitted over a wireless network facility to the cellular wireless scheduling device.

The office action suggests that the reference of Conmy (U.S. patent 6,101,480) teaches all of the elements of the independent claims except using a wireless scheduling device. Further, the office action suggests that the reference of Schuster (U.S. patent 6,577,622) may be combined with Conmy and that Schuster teaches the use of a wireless scheduling device that would be obvious to

combine with the reference to Conmy. The office action argues that one skilled in the art would be motivated to combine these references, since the references both provide means for bringing participants together. Applicant respectfully disagrees since the references fail to teach or suggest all of the elements of the independent claims.

The reference of Schuster is directed to establishing a telephone conference call using a portable device such as a personal digital assistant ("PDA"). The conference call is established by connecting to a first data network telephone either through a wire line connection or a local wireless connection (infrared, Bluetooth) and providing the network user identifier for the participants of the conference call to the telephone. See Fig. 8B for example and the text and col. 19 beginning at line 27.

The Schuster reference does not teach the use of a wireless device communicating with a wireless network facility, rather Schuster teaches using an infrared port or other local wireless transmission system of a personal digital assistant ("PDA") to connect to a Data Network Telephone. See specifically Fig. 5 and the accompanying text beginning at Col. 15 line 35 and Col. 6 lines 6-14. In the present set of claims as amended, it is clear that the wireless connection is a non-local connection such as a cellular connection that made by a wireless modem to a wireless network facility. For support, see page 3 lines 20-27. A PDA using a cellular connection does not need to be in the proximity of receiver as with infrared transmissions or with Bluetooth and neither infrared transmissions

or Bluetooth transmission connect to a wireless network facility.

Further, Claim 1 clearly requires communication by the PDA with a server where the PDA requests availability information from the server and the server provides availability data to the PDA. Fig 8B of Schuster is a signal diagram showing all communications between the various components of the Schuster system. This figure shows that the PDA never sends a communication to a server that requests information and further shows that a server never transmits searched for information back to the PDA. The Data Network Telephones establish the conference call without further interaction with the PDA and the PDA never receives information from a server. No data is transmitted back to the PDA in the Schuster embodiment. Only an acknowledgement of the request for a conference call is received by the PDA. The acknowledgement from the Data Network Telephone is not requested availability information or personal information management ("PIM") information gathered from a server.

The reference of Schuster clearly does not teach the use of a wireless connection over a wireless network facility to a server and does not teach the retrieval and sending of PIM information from a server through a wireless network facility. As a result, the reference does not teach the missing elements from the network based scheduling system of Conmy and the Schuster reference does not make the present invention as claimed obvious in view of Conmy.

Further the reference of Conmy is inapplicable to a wireless environment. Wireless devices that existed at the time that the present application was filed

had limited memory for storing received information, limited display size/resolution for displaying received information, and further the wireless link for such devices had limited bandwidth. See the Background Section at page 1 lines 16-20. To implement the system described in the Commy reference would require greater bandwidth than that which was present at the time of the filing of the application. Figs 5-7 of the Conmy reference represent different views of the information retrieved by the system. Such information and displays are appropriate for display on a display associated with a computer rather than a PDA. The Conmy reference is clearly directed at networked desktop and laptop computers wherein the GUI of the client is a web browser. Col 4 lines 4-10 A web browser can receive both the graphical data and information data as shown in Figs. 5-9. Handheld devices at the time of filing were not capable of such displays. As already stated, wireless links at the time that the patent application was filed could not receive web pages due to the limited bandwidth and memory of the devices.

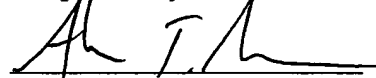
As a result of the above analysis, the reference to Conmy alone or in combination with the reference of Schuster does not teach or suggest each and ever element of the present invention as claimed in independent claims 1, 14, and 22.

Dependent claims 2-13, 15-21 and 23-26 each depend from an allowable independent claim and each dependent claim adds at least one additional limitation and therefore are also allowable over the art of record for the same

reasons as those expressed above.

For the reasons set forth above, it is submitted that all pending claims are now in condition for allowance. Reconsideration of the amended claims and a notice of allowance are therefore requested. It is believed that no extension of time is required for this matter. However, if an extension of time is required, please charge deposit account number 19-4972. If any additional fees are required for the timely consideration of this application, please charge deposit account number 19-4972. The Examiner is requested to telephone the undersigned if any matters remain outstanding so that they may be resolved expeditiously.

Respectfully submitted,



Alexander J. Smolenski, Jr.
Registration No. 47,953
Attorney for Applicant
Bromberg & Sunstein LLP
125 Summer Street
Boston, MA 02110-1618
(617) 443-9292

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